

Charles H. Chevalier
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102-5310
(973) 596-4611
cchevalier@gibbonslaw.com

Christine A. Gaddis
GIBBONS P.C.
141 West Front Street, Suite 240
Red Bank, New Jersey 07701
(732) 704-5801
cgaddis@gibbonslaw.com

Attorneys for Plaintiff American Regent, Inc.

OF COUNSEL:

Dennies Varughese, Pharm.D.
Uma N. Everett
Adam C. LaRock
Christina E. Dashe
Alexander Alfano
Ryan E. Conkin
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1101 K Street NW, 10th Floor
Washington, D.C. 20005
(202) 371-2600
dvarughese@sternekessler.com
ueverett@sternekessler.com
alarock@sternekessler.com
cdashe@sternekessler.com
aalfano@sternekessler.com
rconkin@sternekessler.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AMERICAN REGENT, INC.,

Plaintiff,

v.

SOMERSET THERAPEUTICS, LLC,
SOMERSET PHARMA, LLC, ODIN
PHARMACEUTICALS, LLC, APOTEX
INC, APOTEX CORP, and RK PHARMA,
INC.,

Defendants.

Civil Action Nos. 24 CV 1022 (BRM)(CLW)
24 CV 1030 (BRM)(CLW)
24 CV 1169 (BRM)(CLW)
24 CV 2268 (BRM)(CLW)
(Consolidated)

Motion Day: April 7, 2025

**NOTICE OF MOTION TO DISMISS RK PHARMA'S INEQUITABLE CONDUCT
COUNTERCLAIMS AND STRIKE RK PHARMA'S
INEQUITABLE CONDUCT DEFENSES**

PLEASE TAKE NOTICE that on April 7, 2025, or as soon thereafter as counsel can be heard, the undersigned counsel for Plaintiff American Regent, Inc. (“Plaintiff”), shall move before the Honorable Brian R. Martinotti, U.S.D.J., for the entry of an Order granting Plaintiff’s Motion to Dismiss RK Pharma’s Inequitable Conduct Counterclaims and Strike RK Pharma’s Inequitable Conduct Defenses.

PLEASE TAKE FURTHER NOTICE THAT in support of this Motion, the undersigned shall rely upon the accompanying Memorandum of Law and any subsequent reply submissions, together with all pleadings and proceedings on file in this matter.

PLEASE TAKE FURTHER NOTICE THAT a Proposed Order is also submitted for the Court’s consideration.

Dated: February 25, 2025

/s/ Charles H. Chevalier
Charles H. Chevalier
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Telephone No.: (973) 596-4500
cchevalier@gibbonslaw.com

Christine A. Gaddis
GIBBONS P.C.
141 West Front Street, Suite 240
Red Bank, New Jersey 07701
Tel: (732) 704-5801
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Of Counsel:

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Sterne, Kessler, Goldstein & Fox P.L.L.C.
1101 K Street, NW, 10th Floor
Washington, DC 20005
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ueverett@sternekessler.com
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rconkin@sternekessler.com

Attorneys for Plaintiff American Regent, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Notice of Plaintiffs' Motion to Partially Dismiss Counterclaim Count II and to Partially Strike the Second Affirmative Defense and Memorandum of Law were caused to be served on RK Pharma, Inc.'s counsel of record by email and ECF on February 25, 2025:

/s/ Charles H. Chevalier
Charles H. Chevalier